

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK**

JUDGMENT IN A CIVIL CASE

Brian M. Richards

vs.

CASE NUMBER: 05-CV-528 (VEB)

Commissioner of Social Security

Decision by Court. This action came to trial or hearing before the Court. The issues have been tried or heard and a decision has been rendered.

IT IS ORDERED AND ADJUDGED

That Plaintiff's Motion for Judgment on the Pleadings is Granted in Part and Denied in Part, further Ordered that defendant's Motion for Judgment on the Pleadings is Denied. The Complaint filed by Brian M. Richards is hereby REMANDED to the Commissioner of Social Security for further proceedings consistent with the Decision of this Court.

All of the above pursuant to the order of the Honorable Judge Victor E. Bianchini, dated the 2nd day of February, 2009.

DATED: February 2, 2009


Clerk of Court

s/

Joanne Bleskoski
Deputy Clerk